

Senate File 2135 - Introduced

SENATE FILE 2135

BY SCHOENJAHN

A BILL FOR

1 An Act providing for the regulation of anhydrous ammonia
2 containers, and making penalties applicable.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 200.20A Anhydrous ammonia
2 containers.

3 1. As used in this section, unless the context otherwise
4 requires:

5 a. (1) "Container" means a tank used for transporting or
6 storing anhydrous ammonia.

7 (2) "Container" does not include a pressure vessel having
8 one thousand pounds of water capacity or less, if constructed
9 in accordance with specifications for cylinders and authorized
10 for transportation by the United States department of
11 transportation under 49 C.F.R. pts. 100-180.

12 b. "Nurse tank" means a container having a capacity of
13 three thousand gallons or less, if the container is used for
14 transporting anhydrous ammonia containing two-tenths of one
15 percent water and the anhydrous ammonia is exclusively used for
16 application on land for agricultural purposes.

17 2. Except as otherwise provided in this section, a container
18 shall only be pressured using ammonia vapor.

19 3. A container may be pressured by pneumatic pressure during
20 testing.

21 4. A container employed in an industrial use process system,
22 including but not limited to a system used for refrigerated
23 storage, water treatment, pollution control, or heat treatment,
24 may be pressured using inert gases, including nitrogen,
25 provided industry-accepted and documented precautions are
26 taken.

27 5. Upon discovery or subsequent to servicing, air or other
28 system inerts shall be promptly purged from a container by
29 using industry-accepted and documented precautions.

30 6. A nurse tank that was manufactured using a postweld
31 heat treatment method may be pressured with a nonammonia
32 source. On and after January 1, 2017, a nurse tank shall not be
33 manufactured in this state, and shall not be imported for use
34 in this state, unless the postweld heat treatment manufacturing
35 method has been used.

1 7. The department of agriculture and land stewardship shall
2 adopt rules required to implement, administer, and enforce this
3 section.

4 EXPLANATION

5 The inclusion of this explanation does not constitute agreement with
6 the explanation's substance by the members of the general assembly.

7 BILL. This bill provides for the department of agriculture
8 and land stewardship's regulation of containers used to
9 transport or store anhydrous ammonia, including a nurse tank
10 having a capacity of 3,000 gallons or less and used for
11 applying anhydrous ammonia on agricultural land. The bill
12 requires that a container be pressured using ammonia vapor, but
13 includes a number of exceptions. A container may be pressured
14 by pneumatic pressure during testing. An industrial container
15 may be pressured using an inert gas, including nitrogen.
16 Upon discovery of an inert gas, a container must be promptly
17 purged. A nurse tank that was manufactured using a postweld
18 heat treatment method may be pressured with a nonammonia
19 source. On and after January 1, 2017, a nurse tank shall not be
20 manufactured or imported for use in this state unless it has
21 been manufactured using the postweld heat treatment method.

22 RULEMAKING — BACKGROUND. The bill requires the department
23 to adopt rules necessary to administer and enforce its
24 provisions. The department is authorized to adopt rules
25 regulating anhydrous ammonia under Code section 200.14. On
26 August 11, 2015, the administrative rules review committee
27 voted to delay the effective date of such a rule until the end
28 of the 2016 legislative session (ARC 2059C which is codified
29 in 21 IAC 43.6). That rule in part adopts the sixth edition
30 of the publication entitled "Requirements for the Storage and
31 Handling of Anhydrous Ammonia", published by the compressed
32 gas association, including revised standard 5.10.3 requiring
33 containers be pressured with ammonia vapor, but exempting
34 pneumatic pressure testing and industrial use process systems
35 that use an inert gas such as nitrogen. The publication

1 also requires that upon discovery or subsequent to servicing
2 a container, system inerts must be promptly purged using
3 industry-accepted documented precautions. The revised standard
4 as adopted by the department does not exempt nurse tanks.

5 CRIMINAL PENALTY. Generally, a person who violates the
6 bill's provisions is guilty of a simple misdemeanor (Code
7 section 200.18). A simple misdemeanor is punishable by
8 confinement for no more than 30 days or a fine of at least \$65
9 but not more than \$625 or by both.